

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

DENISE HOLMAN,

Petitioner,

v.

FELIX VINCENZ,

Respondent.

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No. 4:19-CV-01857-NCC

**MEMORANDUM AND ORDER**

This matter is before the Court on a letter filed by petitioner Denise L. Holman that has been construed as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition is defective because petitioner did not use the Court's form. *See* E.D. Mo. L.R. 45 - 2.06(A) ("All actions brought by pro se petitioners or petitioners should be filed on Court-provided forms"). Petitioner has also failed to either pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis.

The Clerk of Court will be directed to send to petitioner a copy of the Court's 28 U.S.C. § 2254 form and a copy of the Court's motion to proceed in forma pauperis form. Petitioner is directed to fill out the § 2254 form in its entirety and return it to the Court within thirty days of the date of this order. Petitioner is also advised to either pay the filing fee or file a motion to proceed in forma pauperis within thirty days of the date of this order. Failure to comply will result in the dismissal of this action without prejudice and without further notice.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of Court shall send to petitioner a copy of the Court's 28 U.S.C. § 2254 form.

**IT IS FURTHER ORDERED** that the Clerk of Court shall send to petitioner a copy of the Court's motion to proceed in forma pauperis form.

**IT IS FURTHER ORDERED** that petitioner must fill out the 28 U.S.C. § 2254 form and return it to the Court within **thirty (30) days** of the date of this order.

**IT IS FURTHER ORDERED** that petitioner must either pay the filing fee or file a motion to proceed in forma pauperis within **thirty (30) days** of the date of this order.

**IT IS FURTHER ORDERED** that if petitioner fails to comply with this order, this action will be dismissed without prejudice and without further notice.

Dated this 2nd day of July, 2019.

/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE